

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

J.W., a minor, by and through AMANDA
WILLIAMS, Guardian and Next Friend.

Case No.: 3:21-cv-00663-CWR-LGI

Plaintiff,

Hon. Carlton W. Reeves
Mag. LaKeysha Greer Isaac

v.

THE CITY OF JACKSON, MISSISSIPPI;
CHOKWE A. LUMUMBA, JR.; TONY YARBER;
KISHIA POWELL; ROBERT MILLER; JARRIOT
SMASH; THE MISSISSIPPI DEPARTMENT OF
HEALTH; JIM CRAIG; TRILOGY ENGINEERING
SERVICES, LLC; AND John Does 1-40

Defendants.

**DEFENDANT, TRILOGY ENGINEERING SERVICES, LLC'S MOTION TO STRIKE
PARAGRAPHS 21, 22, 23, AND 301 OF PLAINTIFF'S AMENDED COMPLAINT AND
JURY TRIAL DEMAND**

Defendant, Trilogy Engineering Services, LLC (“Trilogy”), by and through undersigned counsel, and pursuant to Fed. R. Civ. P. 12(f), hereby files its Motion to Strike Paragraphs 21, 22, 23, and 301 of Plaintiff’s Amended Complaint and Jury Trial Demand (the “Motion to Strike”), and in support thereof states as follows:

1. This lawsuit is about alleged lead contamination in drinking water provided by the City of Jackson (“City”) to its residents, including Plaintiff. See generally the Amended Complaint. Generally, the Amended Complaint claims that the named Defendants – including Trilogy, the City, the Mississippi Department of Health, and related government employees – made decisions that allegedly led to Plaintiff’s exposure to toxic lead in the City’s drinking water.

2. Plaintiff asserts two Counts against Trilogy: Count IV for professional negligence, and Count V for negligence. However, Plaintiff's allegations against Trilogy at Paragraphs 21, 22, 23, and 301 of the Amended Complaint consist of impertinent, immaterial, and scandalous matters that have no relevance nor relationship to the issues being litigated and are highly prejudicial to Trilogy's ability to defend itself against Plaintiff's claims and should therefore be stricken from the Amended Complaint.

3. In support of this Motion, Trilogy relies upon the supporting memorandum of law filed concurrently herewith.

WHEREFORE, Trilogy Engineering Services, LLC respectfully requests this Court to enter an Order granting Trilogy's Motion to Strike Paragraphs 21, 22, 23, and 301 of Plaintiff's Amended Complaint as impertinent, immaterial, and scandalous, and for any further relief as this Court may deem just and proper.

This, the 12th day of April, 2022.

Respectfully submitted,

By: /s/ Davide Macelloni
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CERTIFICATE OF SERVICE

The undersigned certifies that on April 12, 2022, I electronically filed an Appearance with the Clerk of the Court using ECF system which will send notification of such filing to all attorneys of record.

Respectfully submitted,

By: /s/ Davide Macelloni
Davide Macelloni